

Notice of Allowability

Application No.

10/822,728

Examiner

Son M. Tang

Applicant(s)

ARMBRUSTER ET AL.

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/6/06.
2. ☒ The allowed claim(s) is/are 1,3,4,10,14-15,17,20-21 and 27-30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 3/13/06.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Howard Richman on 3/10/06.

The application has been amended as follows:

Claim 21 (currently amended). An infant monitor receiver including a variable visual display, the visual display varying in accordance with a monitored sound level or intensity, the infant monitor receiver comprising:

means for receiving a signal indicative of sound received by an infant monitor transmitter;

means for sequentially illuminating a plurality of light sources in response to receiving the signal indicative of sound, wherein the signal corresponds to the monitored sound level or intensity, and the illumination of each of the plurality of light sources is sequential as the monitored sound level or intensity increases; and

~~means~~ a visual display try-me switch for activating the variable visual display in the absence of receipt of the signal indicative of sound received by the infant monitor transmitter, whereby the plurality of light sources are sequentially illuminated when activated by the ~~means~~ visual display try-me switch for activating the variable visual display.

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Claim 30 (currently amended). In an infant monitor receiver comprising a housing, an antenna mounted on the housing operable to receive a signal indicative of a level or intensity of sound received by an infant monitor transmitter, and a variable visual display including a plurality of individual light sources sequentially illuminated corresponding to the level or intensity, a method of activating the variable visual display comprising the step of:

activating a visual display try-me switch to energize the variable visual display in the absence of receipt of the signal indicative of a level or intensity of sound received by the infant monitor transmitter, whereby the plurality of individual light sources are sequentially illuminated.

2. The following is an examiner's statement of reasons for allowance: The present invention is directed to an apparatus for an infant monitor receiver. Each independent claim identifies the uniquely distinct features "a plurality of individual elongated light transmitting portions, each portion is including a first end and a second end and associated with only one of the light sources at its first end that illuminates through elongated light transmitting portion, wherein the illumination of each of the light sources is sequential as the received sound level or intensity increases" and "a light display try-me switch for operating of sequential illuminate the plurality of individual light sources in the absence of receipt of the sound received" in combination with the manner claimed. The closest prior art, Law US 5,768,696 discloses similarly invention, however, either singularly or in combination, fail to anticipate or render the above underlined limitations obvious.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son M. Tang whose telephone number is (571)272-2962. The examiner can normally be reached on 4/9 First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571)272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Son Tang


BENJAMIN C. LEE
PRIMARY EXAMINER